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INFO AMEMBASSY TOKYO
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CEJUSMAG SEOUL KS
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C O N F I D E N T I A L SECTION 01 OF 02 SEOUL 11302
E.O. 12065: GDS 08/28/86 (BLAKEMORE, DAVID) OR-P
TAGS: PINT PGOV SNUM KS
SUBJECT: KIM DAE JUNG TRIAL (REPORT NO. 11)
REF: SEOUL 11238
1. (C - ENTIRE TEXT)
2. SUMMARY: AFTER FINISHING WITH ONLY ONE OF THE SEVEN STUDENT DEFENDANTS THE MORNING OF AUGUST 27 (REFTEL), THE PROSECUTION WENT THROUGH THE REMAINING SIX IN FOUR HOURS THE SAME AFTERNOON. FIVE OF THE SIX ADMITTED NUMEROUS MEETINGS AND TAKING PART IN MOVES TO LIFT MARTIAL LAW AND "DEMOCRATIZE" KOREA; HOWEVER, THE FIVE ALL SAID THAT THEY HAD NOT ENGAGED IN REBELLION OR INCITED OTHERS TO DO SO. (THE SIXTH DEFENDANT QUESTIONED ON AUGUST 27 REFUSED TO SAY ANYTHING AT ALL.) QUESTIONING OF THE ELEVEN REMAINING DEFENDANTS OF THE TOTAL 24 BEGAN AUGUST 28. QUESTIONING BY BOTH THE PROSECUTION AND DEFENSE WAS MAINLY LIMITED TO GOING OVER THE INDICTMENTS FOR THOSE DEFENDANTS, ALL OF
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WHOM ARE CHARGED ONLY WITH MARTIAL LAW VIOLATIONS (THREE YEARS' MAXIMUM SENTENCE). NONE OF THIS BATCH OF DEFENDANTS HAS SO FAR CLAIMED HE UNDERWENT TORTURE. ONE DEFENDANT GOT THE FIRST LAUGH TO BE HEARD IN THE COURTROOM FOR A LONG TIME WHEN HE SARCASTICALLY EXPRESSED SURPRISE AND PLEASURE AT MEETING HIS LAWYER FOR THE FIRST TIME EVER. BEYOND THE REMOVAL OF THE APPELLATION OF "POET" FROM ONE DEFENDANT'S NAME, THERE HAS BEEN NO CENSORSHIP OF FOREIGN POOL REPORTS FOR THE PAST TWO DAYS. END SUMMARY.
3. AFTER SPENDING TWO HOURS EXAMINING ONE OF THE SEVEN STUDENT DEFENDANTS THE MORNING OF AUGUST 27, THE COURT SHIFTED INTO HIGH GEAR AND RAN THROUGH THE OTHER SIX IN FOUR HOURS THE AFTERNOON OF THE SAME DAY. THE SIX ARE (ALL SPELLINGS M-R): CHO SONG-U; YI HAE-CH'AN; YI SOK-P'YO; SON KI-WON; SOL HUN; AND SIM CHAE-CH'OL. ALL ARE
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REVIEWED BY HT DATE 8/18/82
RDS ☐ or XDS ☐ EXT. DATE ____ REASON(S) ____
TS AUTH. ____
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED ☒ RELEASABLE ☒
RELEASE DENIED ☐
PA or FOI EXEMPTIONS ____

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CHARGED WITH CONSPIRACY FOR INSURRECTION AND VIOLATING MARTIAL LAW. ONE, YI HAE-CH'AN, IS ALSO CHARGED WITH INCITING MARTIAL LAW VIOLATIONS.

4. THE MAIN THRUST OF THE PROSECUTION'S QUESTIONS WAS TO ESTABLISH DIRECT LINKS BETWEEN THE "DEMOCRATIC YOUTH COUNCIL" (DYC) AND THE "NATIONAL ALLIANCE" IN WHICH KIM DAE JUNG (M-R: KIM TAE-CHUNG) AND YUN PO-SUN (M-R) WERE ACTIVE. ALL SIX DEFENDANTS QUESTIONED THE AFTERNOON OF AUGUST 27 DENIED A DIRECT CONNECTION, ALTHOUGH THEY ADMITTED THAT YUN, HAM SOK-HON (M-R) AND CO-DEFENDANT MUN IK-HWAN (M-R) ARE ADVISERS TO THE DYC. (CHO SONG-U AND YI SOK-P'YO SPECIFICALLY DENIED THAT KIM DAE JUNG WAS AN ADVISER TO THE DYC.)

5. QUESTIONED ABOUT ILLEGAL ACTIVITIES, YI SOK-P'YO ADMITTED TAKING PART IN LAST NOVEMBER'S YWCA INCIDENT,

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BUT DENIED ORGANIZING IT. YI, LIKE TWO OR THREE OF THE OTHER DEFENDANTS, SAID THAT HE FELT COMPELLED TO WORK FOR THE "DEMOCRATIZATION" OF KOREA AND THE LIFTING OF MARTIAL LAW. SONG KI-WON DESCRIBED HIMSELF AS A POET, AND SAID HE THEREFORE FEELS CLOSE TO CO-DEFENDANT KO UN-TAE (M-R); HOWEVER, HE DOES NOT SHARE KO'S POLITICAL BELIEFS AND NEVER RECEIVED MONEY FROM KO TO INCITE VIOLENCE. "I HATE VIOLENCE," SAID SONG, "WRITERS HATE VIOLENCE, AND THE YUSHIN SYSTEM IS POLITICAL VIOLENCE."

6. THE TESTIMONY OF DEFENDANT SOL HUN OFFERED AN INSIGHT INTO HOW MAY'S DISTURBANCES ESCALATED. SOL SAID THAT AFTER BEING REINSTATED AS A STUDENT HE FELT COMPELLED TO HELP WRITE AND DISTRIBUTE A STATEMENT SAYING THAT MARTIAL LAW MUST BE LIFTED, ALTHOUGH "YUSHIN REMNANTS" WERE TRYING TO PROLONG IT. "AFTER PROTESTS ON CAMPUS WE HAD TO GO TO THE STREETS. WE WANTED A PEACEFUL DEMONSTRATION, BUT WE NEEDED STONES (TO THROW AT THE POLICE) IN CASE THE POLICE PUT US DOWN FORCIBLY." SOL SAID THAT THE DEMONSTRATORS CARRIED STICKS AT FIRST, BUT HAD LATER DISCARDED THEM. THE DEMONSTRATORS HAD ONLY THROWN "TWO OR THREE MOLOTOV COCKTAILS" IN THE VICINITY OF THE GATE AT CHUNGANG UNIVERSITY. "WE NEVER WANTED AN INSURRECTION OR VIOLENCE," SOL SAID.

7. THE LAST OF THE DEFENDANTS QUESTIONED THE AFTERNOON OF AUGUST 27, SIM CHAE-CH'OL, REFUSED TO ANSWER QUESTIONS, BEYOND SAYING THAT WHAT HE HAD TOLD THE PROSECUTOR EARLIER HAD BEEN CORRECT. COURT ADJOURNED AT 6:00 P.M. AFTER THE LAW OFFICER SUMMED UP TO THE ASSEMBLED DEFENDANTS (THEY HAD BEEN INTERROGATED SEPARATELY) WHAT EACH HAD SAID UNDER CROSS-EXAMINATION.

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8. TWO OF THE ELEVEN REMAINING DEFENDANTS WERE QUESTIONED THE MORNING OF AUGUST 28. SINCE THE DEFENDANTS IN THIS GROUP ARE ONLY CHARGED WITH VIOLATION OF MARTIAL LAW, AND SINCE THE FACTS LEADING TO THEIR INDICTMENT ARE FOR THE MOST PART UNQUESTIONED, THE PROSECUTION FOR THE MOST PART MERELY WENT OVER THE INDICTMENT. EX-PROFESSOR SO NAM-TONG (M-R) SAID THAT THE LIBERATION HE BELIEVES IN IS THAT FROM THE SECULAR WORLD, AND ADMITTED VIRTUALLY ALL THE MEETINGS THE PROSECUTION CHARGED HE HAD ATTENDED. SO SAID HE "REPENTED" VIOLATING MARTIAL LAW, ADDING THAT HE IS SORRY FOR THE TROUBLE HE CAUSED.
9. THE SECOND DEFENDANT, KIM CHONG-WON (M-R), HAD SEVERAL TESTY EXCHANGES WITH THE PROSECUTOR, BUT HE TOO ADMITTED TAKING PART IN SEVERAL MEETINGS WITH CO-DEFENDANTS. HOWEVER, KIM DENIED PREPARING PAMPHLETS URGING FASTER DEMOCRATIZATION. KIM DREW THE ONLY LAUGH WE HAVE HEARD SO FAR WHEN HIS DEFENSE LAWYER STARTED THE CROSS-EXAMINATION. KIM, CLEARLY PLAYING TO THE GALLERY, ASKED THE COURT IN MOCK SURPRISE, "OH, IS THIS HONORABLE

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GENTLEMAN MY LAWYER? I'M VERY GLAD TO MEET YOU SIR." EVEN A COUPLE OF THE JUDGES COULD NOT SUPPRESS A SMILE AT THAT.
10. EXCEPT FOR THE DELETION OF THE APPELLATION 'POET' FROM DEFENDANT KO UN-TAE'S NAME, THERE HAS BEEN NO CENSORSHIP OF FOREIGN POOL REPORTS FOR THE PAST TWO DAYS. THE QUESTIONING OF THE REMAINING NINE DEFENDANTS CONTINUES THE AFTERNOON OF AUGUST 28. MONJO
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